



May 15, 2007 CPC  
June 27, 2007 BS

STAFF'S  
REQUEST ANALYSIS  
AND  
RECOMMENDATION

07SN0311

Emerson Companies LLC

Bermuda Magisterial District  
Northwest quadrant of Meadowville Road and Rivers Bend Boulevard

REQUEST: Rezoning from Agricultural (A) to Neighborhood Business (C-2).

PROPOSED LAND USE:

Commercial uses are planned.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITIONS ON  
PAGES 2 AND 3.

STAFF RECOMMENDATION

Recommend denial for the following reason:

The proposed zoning and land uses do not conform to the Consolidated Eastern Area Plan which suggests the property is appropriate for neighborhood mixed use, to include professional and administrative office uses and residential uses of various densities.

(NOTE: THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

## PROFFERED CONDITIONS

The Contract Purchaser-Applicant in this zoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for itself and its successors or assigns, proffers that the development of the properties known as Chesterfield County Tax ID 815-653-0571 from A to C-2 will be developed as set forth below; however, in the event the request is denied or approved with conditions not agreed to by the Applicant, these proffers and conditions shall be immediately null and void and of no further force or effect.

(CPC) 1. Timbering. Except for the timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed. (EE)

(CPC) 2. Transportation.

### Dedications/Recordation.

Prior to any site plan approval or within ninety (90 )days of a written request by the Transportation Department, whichever occurs first, forty-five (45) feet of right of way adjacent to the property, measured from a revised centerline for Meadowville Road based on VDOT Urban Minor Arterial (50 mph) standards, with any modifications approved by the Transportation Department, shall be dedicated free and unrestricted, to and for the benefit of Chesterfield County.

### Access.

Direct vehicular access from the property to Meadowville Road shall be limited to one (1) entrance/exit. The exact location of this access shall be approved by the Transportation Department. (T)

### Road Improvements.

Prior to the issuance of any certificates of occupancy, the developer shall construct additional pavement along Meadowville Road at the approved access to provide right and left turn lanes, based on Transportation Department standards, if the developer and the Transportation Department mutually agree that the improvements can be used as part of a future realignment of Meadowville Road. (T)

- (CPC) 3. The following uses shall not be permitted:
- (a) Coin-operated dry cleaning; pressing; laundry and laundromat;
  - (b) gasoline sales;
  - (c) cash checking services;
  - (d) automotive self service stations;
  - (e) communication towers;
  - (f) hospitals;
  - (g) funeral homes or mortuaries. (P)
- (CPC) 4. No use shall be open to the public between 11:00 p.m. to 6:00 a.m. (P)
- (CPC) 5. All uses, including storage, shall be conducted entirely within an enclosed building, except for accessory automobile parking, loading or unloading facilities and permitted outside display of merchandise for sale per Section 19-156(b) of the Zoning Ordinance. (P)

### GENERAL INFORMATION

#### Location:

Northwest quadrant of the intersection of Meadowville Road and Rivers Bend Boulevard.  
Tax ID 815-653-0571.

#### Existing Zoning:

A

#### Size:

2.5 acres

#### Existing Land Use:

Vacant

#### Adjacent Zoning and Land Use:

North – O-1 with Conditional Use Planned Development; Day Care or vacant

South – A; Single-family residential

East - R-15 with Conditional Use Planned Development and A; Single-family residential, commercial or vacant

West - A; Single-family residential or vacant

## UTILITIES

### Public Water System:

There is a twenty (20) inch water line extending along the west side of Rivers Bend Boulevard, adjacent to this site. In addition, an eight (8) inch water line stubs out for future extension along Meadowville Road, opposite a portion of this site. Use of the public water system is required by County Code.

### Public Wastewater System:

There is a twelve (12) inch wastewater trunk line extending across the adjacent parcel north of this site. This line continues south along Rivers Bend Boulevard and is approximately thirty (30) feet north of the northeast corner of this property. Use of the public wastewater system is required by County Code.

## ENVIRONMENTAL

### Drainage and Erosion:

The subject property drains to the northwest through existing storm sewers and improved outfalls through Rivers Bend Subdivision to the James River. There are no existing or anticipated on- or off-site drainage or erosion problems.

The property is wooded and, as such, should not be timbered without obtaining a land disturbance permit from the Department of Environmental Engineering (Proffered Condition 1). This will ensure adequate erosion control measures are in place prior to any land disturbance.

## PUBLIC FACILITIES

### Fire Service:

The Rivers Bend Fire Station, Company 18, currently provides fire protection and emergency medical service. This request will have a minimal impact fire and EMS.

### Transportation:

The property is located at the intersection of Meadowville Road and Rivers Bend Boulevard. The applicant is requesting rezoning from Agricultural (A) to Neighborhood Business (C-2). Based on trip generation rates for a shopping center, development of the property could generate approximately 2,400 average daily trips. This traffic will be distributed to East Hundred Road (Route 10) via Meadowville Road and Rivers Bend Boulevard. Route 10 had a 2006 traffic count of 38,977 vehicles per day. The capacity of the six-lane section of Route 10 between Interstate 295 and Old Bermuda Hundred Road/Meadowville Road is acceptable (Level of Service B) for the volume of traffic it

currently carries. No public road improvements in this part of the county are currently included in the Six-Year Improvement Program.

The traffic impact of this development must be addressed. The applicant has proffered to construct turn lanes along Meadowville Road at the site access if the Transportation Department and the developer mutually agree that the improvements can be used in the future realignment of Meadowville Road (Proffered Condition 2). The applicant is willing to provide these improvements as long as they will not be demolished with the anticipated realignment of Meadowville Road. This determination will be made during site plan review.

The Meadowville Technology Park is located east of Interstate 295 along Meadowville Road and is anticipated to generate approximately 58,000 average daily trips at complete development. In order to accommodate the traffic generated by this development, Meadowville Road is planned to become the through movement with a tee intersection at Rivers Bend Boulevard (Exhibit A). There are currently no funds allocated towards the reconstruction of this intersection.

The Thoroughfare Plan identifies Meadowville Road as a major arterial with a recommended right-of-way width of ninety (90) feet. The applicant has proffered to dedicate right-of-way along Meadowville Road in accordance with this Plan as well as the planned future realignment of this intersection. (Proffered Condition 2)

Access to major arterials, such as Meadowville Road, should be controlled. The applicant has proffered to limit access from the property to Meadowville Road to one (1) entrance/exit (Proffered Condition 2). If the property is developed before the intersection is realigned, the access should be located at the western property line. If the property is developed subsequent to realignment of the intersection, then the access should align with the proposed crossover and Rivers Bend Boulevard.

## LAND USE

### Comprehensive Plan:

Lies within the boundaries of the Consolidated Eastern Area Plan which suggests the property is appropriate for neighborhood mixed use to include professional and administrative office uses and residential uses of various densities. The intent of the Plan is to provide land use transitions between the Route 10 corridor and the residential development within Rivers Bend.

### Area Development Trends:

The area is characterized by day care use as a part of the adjacent Rivers Bend mixed-use development to the north and single-family residences on acreage parcels to the south and west. Rivers Bend shopping center is located southeast of the request site, across Rivers Bend Boulevard. It is anticipated professional and administrative offices as well as higher

density residential uses will continue in the area, as suggested by the Plan so as to effect proper land use transitions.

Development Standards:

Currently, the property lies within an Emerging Growth District and Route 10 Corridor East Area. The Zoning Ordinance specifically addresses access, landscaping, setbacks, parking, signs, buffers, utilities and screening for developments within these areas. The purpose of the Emerging Growth District Standards is to promote high quality, well-designed projects.

Uses:

In response to area residents' concerns, Proffered Conditions 3, 4 and 5 were submitted to restrict permitted uses, hours of operational and outside activities.

Architectural Treatment:

The Route 10 Corridor East District addresses architectural treatment requiring all building exteriors visible to the public or adjacent properties to be constructed of architectural materials consistent in quality, appearance and detail. In addition, the treatment must be compatible with best architectural examples of buildings located within the same project, within the same block or directly across any road.

CONCLUSION

The proposed zoning and land uses do not conform to the Consolidated Eastern Area Plan which suggests the property is appropriate for neighborhood mixed use, to include professional and administrative office uses and residential uses of various densities. As noted, the intent is to address proper land use transitions between the Route 10 commercial corridor and the residential development in Rivers Bend. Approval of this request could set a precedent for further commercial zoning and land use on the north line of Meadowville Road between Route 10 and Rivers Bend Boulevard infringing upon the adjacent residential development.

Given these considerations, denial of this request is recommended.

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CASE HISTORY

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Applicant (5/11/07):

Additional proffered conditions were submitted.

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Planning Commission Meeting (5/15/07):

The applicant did not accept staff's recommendation, but did accept the Commission's. There was no opposition present.

Mr. Wilson indicated given anticipated development along Meadowville Road between subject property and Route 10, the proposal would be appropriate. He suggested that it may be appropriate to revisit the Plan for the area.

On motion of Mr. Wilson, seconded by Mr. Litton, the Commission recommended approval and acceptance of the proffered conditions on pages 2 and 3.

AYES: Messrs. Gecker, Gulley, Bass, Litton and Wilson.

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The Board of Supervisors, on Wednesday, June 27, 2007, beginning at 6:30 p.m., will take under consideration this request.

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**07SN0311**  
**Rez: A TO C-2**



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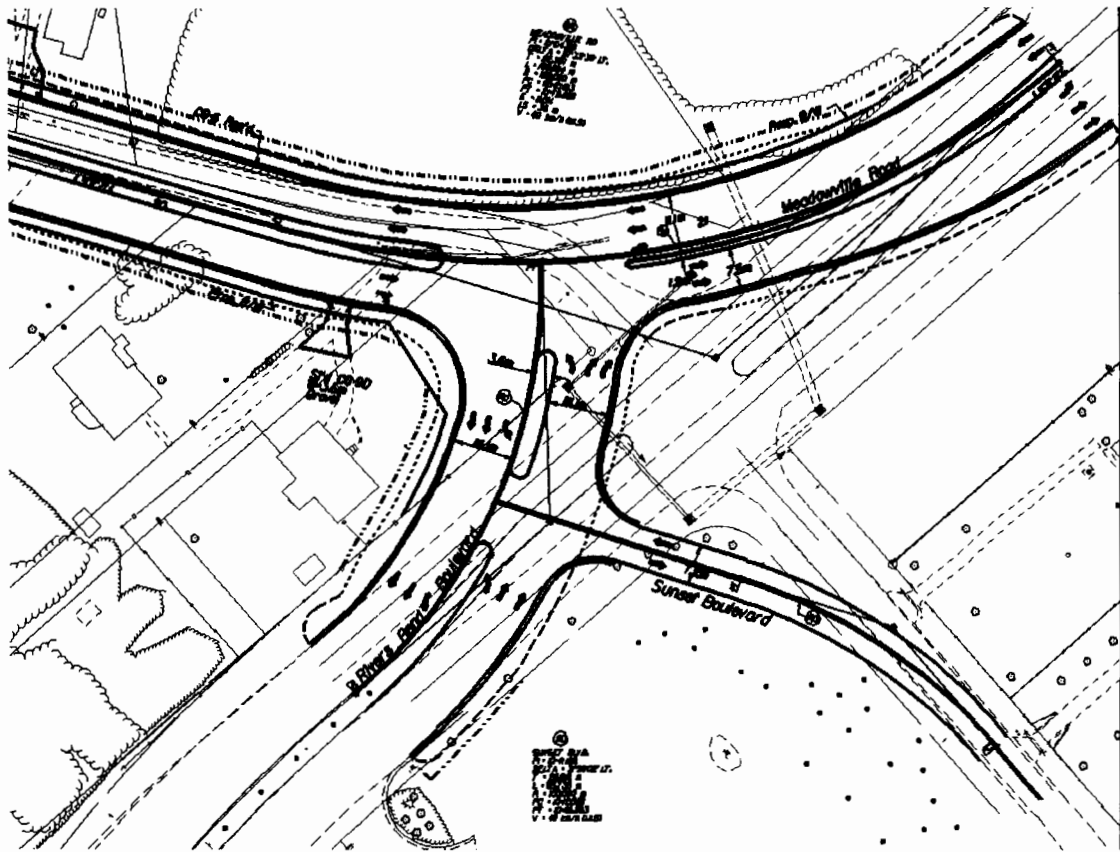


EXHIBIT A

075N0311-1

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